

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOE MIKE PARTNERSHIP II

*Plaintiff,*

v.

GREAT LAKES REINSURANCE (U.K.)  
AND CLAIMS ADJUSTING GROUP,  
INC.

*Defendants.*

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CASE NO. 5:17-cv-1141-FB

**JOINT MOTION TO MODIFY SCHEDULING ORDER**

Pursuant to the Federal Rules of Civil Procedure, and Local Rules of the United States District Court for the Western District of Texas, the parties hereby jointly move the Court to modify the Court's Rule 16 Scheduling Order related to the production of expert witness reports, the completion of discovery, and motions deadline. In support thereof, the parties would respectfully show as follows:

**SUMMARY**

1. This matter has not been set for trial.
2. The parties have complied with the Court's Rule 16 Scheduling Order in diligently conducting discovery thus far. The parties have exchanged written discovery, conducted inspections of the subject properties, and the parties have designated experts.
3. However, significant discovery remains to be completed, including the depositions of various experts and fact witnesses. The parties now anticipate approximately four fact witness depositions and four expert witness depositions.

4. The undersigned counsel have conferred and agree that the interests of the parties and this Honorable Court will be better served by an eventual presentation of this case in its most legally and factually-developed form. Prior to completing this additional discovery, however, the parties have agreed to mediate this case and, therefore, seek to modify the scheduling order to provide the parties sufficient time to attempt to reach a resolution outside of court.

5. In furtherance thereof, and in accordance with the Court's Scheduling Order regarding modifying the discovery deadline, the parties have agreed to extend the discovery deadline to July 30, 2018. The parties have also stipulated to formally modifying the Court's Scheduling Order regarding the parties' Dispositive Motion Cut-Off and request the Court extend this deadline from June 27, 2018 to August 27, 2018.

6. The parties have endeavored to minimize the quantity and scope of the modifications sought, and have only requested those which they believe will be necessary for complete preparation of this matter for the most prompt and efficient resolution possible.

#### **PRAYER**

7. In light of the foregoing, the parties pray that this Court grant their Joint Motion to Modify the Court's Scheduling Order and extend the dispositive motion deadline from June 27, 2018 to August 27, 2018.

Respectfully submitted,

/s/ William D. Abbott

Les Pickett

“Attorney in Charge”

State Bar No. 15980520

William D. Abbott

State Bar No. 24087069

OF COUNSEL:  
GALLOWAY, JOHNSON, TOMPKINS,  
BURR & SMITH  
1301 McKinney Suite 1400  
Houston, Texas 77010  
(713) 599-0700 – Telephone  
(713) 599-0777 – Facsimile

**ATTORNEYS FOR DEFENDANT**

**LOREE & LIPSCOMB**

**BY:** /s/ Todd Lipscomb  
Todd Lipscomb  
The Terrace at Concord Park  
777 E. Sonterra Blvd., Suite 320  
San Antonio, Texas 78258  
(210) 404-1320 Telephone  
(210) 404-1310 Facsimile

**ATTORNEY FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing has been forwarded to the following known counsel of record via Electronic Court Filing on 17<sup>th</sup> day of May, 2018:

Todd Lipscomb  
LOREE & LIPSCOMB  
The Terrace at Concord Park  
777 E. Sonterra Blvd., Suite 320  
San Antonio, Texas 78258

/s/ William D. Abbott  
Les Pickett  
William D. Abbott